

DECLARATION AND POWER OF ATTORNEY
(Docket No. 3789/77553)

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Improvements in or Relating to Expression of Immunogenic Substances

the specification of which:

(check one) [] is attached hereto.
[X] was filed on November 20, 1998 as
Application Serial No. 09/197,056
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56(a) and 1.56(b)..

I hereby claim foreign priority benefits under Title 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>PRIOR FOREIGN APPLICATION(S)</u>		<u>DATE FILED</u>	<u>PRIORITY CLAIMED</u>	
<u>9718872.6</u>	<u>GB</u>	<u>6, September 1997</u>	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []
Number	Country	Day/Mo./Year	Yes	No
<u>9723448.8</u>	<u>GB</u>	<u>7 November, 1997</u>	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []
Number	Country	Day/Mo./Year	Yes	No
<u>PCT/GB98/02693</u>	<u>PCT</u>	<u>7 September, 1998</u>	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []
Number	Country	Day/Mo./Year	Yes	No

I hereby claim the benefit under Title 35, USC 120 of any United States Patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC 112, I acknowledge the duty to

disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/076,448</u>	<u>2 March, 1998</u>	<u>Pending</u>
(App. Ser. No.)	(Filing Date)	(Patented/pending/abandoned)
<u>60/083, 657</u>	<u>30 April, 1998</u>	<u>Pending</u>
(App. Ser. No.)	(Filing Date)	(Patented/pending/abandoned)

As a named inventor, I hereby appoint the following:


Kathleen M. Williams, Reg. No. 34,380
John P. Iwanicki, Reg. No. 34,628
Joseph M. Skerpon, Reg. No. 29,864

Peter D. McDermott, Reg. No. 29,411
Dale A. Malone, Reg. No. 32,155

the mailing address and telephone number of each of whom is BANNER & WITCOFF, LTD., 28 State Street, 28th Floor, Boston, Massachusetts, 02109, and (617) 227-7111 full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge is true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Stephen James Russell

Inventor's signature:  Date 19 April 1999

Residence: Rochester, MN, USA
Citizenship: UK
Post Office Address: 2701 Salem Road Southwest, Rochester, MN 55902

Full name of second inventor: Luis Alvarez-Vallina

Inventor's signature: _____ Date _____

Residence: Madrid, Spain
Citizenship: Spain
Post Office Address: C/Valderrey, 39, 3-IZDA, 28039 Madrid, Spain

disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/076,448</u>	<u>2 March, 1998</u>	<u>Pending</u>
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Full name of sole or first inventor: Stephen James Russell

Inventor's signature: _____ Date _____

Residence: Rochester, MN, USA
Citizenship: UK
Post Office Address: 2701 Salem Road Southwest, Rochester, MN 55902

Full name of second inventor: Luis Alvarez-Vallina

Inventor's signature: _____ Date 5/5/1999

Residence: Madrid, Spain
Citizenship: Spain
Post Office Address: C/Valderrey, 39, 3-IZDA, 28039 Madrid, Spain

Full name of third inventor: Siamak Agha-Mohammadi

Inventor's signature:

S. A. Agha-Mohammadi

Date

4/19/1999.

Residence: Pittsburgh, PA, USA

Citizenship: Iranian

Post Office Address: 144-2B, Oakville Drive, Pittsburgh, PA 15220

Full name of fourth inventor: Robert Hawkins

Inventor's signature:

Date

Residence: Cheshire, UK

Citizenship: UK

Post Office Address: 3 Squirrel Chase, Macclesfield Road, Cheshire, SK10 4 YG

Full name of third inventor: Siamak Agha-Mohammadi

Inventor's signature: _____ Date _____

Residence: Pittsburgh, PA, USA

Citizenship: Iranian

Post Office Address: 144-2B, Oakville Drive, Pittsburgh, PA 15220

Full name of fourth inventor: Robert Hawkins

Inventor's signature:  _____ Date 11-5-99

Residence: Cheshire, UK

Citizenship: UK

Post Office Address: 3 Squirrel Chase, Macclesfield Road, Cheshire, SK10 4 YG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Russell et al. Art Unit : 1633
Serial No. : 09/197,056 Examiner : M. Wilson
Filed : November 20, 1998
Title : EXPRESSION OF IMMUNOGENIC SUBSTANCES

Commissioner for Patents
Washington, D.C. 20231

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH, a Minnesota corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above as evidenced by an assignment, which was mailed to the U.S. Patent and Trademark Office on December 20, 2002 (copy attached).

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

Mark S. Ellinger, Ph.D., Reg. No. 34,812
 Wayne E. Willenberg, Reg. No. 28,488
 H. Sanders Gwin, Jr., Reg. No. 33,242
 Ronald C. Lundquist, Ph.D., Reg. No. 37,875
 J. Patrick Finn III, Ph.D., Reg. No. 44,109
 Monica McCormick Graham, Ph.D., Reg. No. 42,600
 Arlene Hornilla, Reg. No. 44,776
 Greg H. Gardella, Reg. No. 46,045
 Elizabeth N. Kaytor, Ph.D., Reg. No. P-53,103
 Ruffin B. Cordell, Reg. No. 33,487

Dorothy P. Whelan, Reg. No. 33,814
 Richard J. Anderson, Reg. No. 36,732
 Stephen R. Schaefer, Reg. No. 37,927
 John A. Dragseth, Reg. No. 42,497
 M. Angela Parsons, Ph.D., Reg. No. 44,282
 J. Richard Soderberg, Reg. No. 43,352
 Chad A. Hanson, Ph.D., Reg. No. 44,737
 Teresa A. Lavoie, Ph.D., Reg. No. 42,782
 Karen B. Geahigan, Ph.D., Reg. No. P-52,936
 John F. Hayden, Reg. No. 37,640

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 7, 2003
Date of Deposit

Signature B. Haylor

Signature Brenda L. Taylor
Typed or Printed Name of Person Signing Certificate

Applicant : Russell et al.
Serial No. : 09/197,056
Filed : November 20, 1998
Page : 2

Attorney's Docket No.: 07039-416001

FISH & RICHARDSON P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

Mark S. Ellinger, Ph.D.
Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

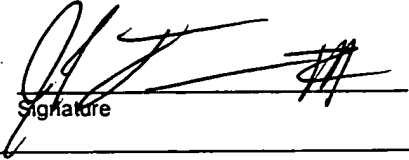
Date: 12/30/02

Rick F. Cobin

Title: Assistant Treasurer

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696
60119494.doc

RECORDATION FORM COVER SHEET PATENTS ONLY

Commissioner for Patents: Please record the attached original document(s) or copy(ies).	
1. Name of conveying party(ies): BioFocus Discovery Limited Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): Mayo Foundation for Medical Education and Research 200 First Street S.W. Rochester, MN 55905 Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: 03/01/2002	
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s): 09/043,665 09/070,630 09/393,960 60/045,164 09/196,505 60/076,448 60/083,657 09/197,056 B. Patent No(s): 6,270,761 Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name/address of party to whom correspondence concerning document should be mailed: MARK S. ELLINGER, PH.D. Fish & Richardson P.C., P.A. 60 South Sixth Street Suite 3300 Minneapolis, MN 55402	6. Total number of applications/patents involved: 9 7. Total fee (37 CFR §3.41): \$360 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account. 8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.
DO NOT USE THIS SPACE	
9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> J. Patrick Finn III, Ph.D. Reg. No. 44,109 Name of Person Signing  Signature <u>December 20, 2002</u> Date Total number of pages including coversheet, attachments and document: 4	

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CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV115427416US

Date of Deposit: December 20, 2002

ASSIGNMENT

In consideration of good and valuable consideration in hand paid, the receipt and sufficiency whereof are hereby acknowledged, and in consideration of the PATENT ASSIGNMENT and LICENCE AGREEMENT between BIOFOCUS DISCOVERY LIMITED and CAMBRIDGE DRUG DISCOVERY HOLDINGS LIMITED and MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH having the effective date of 1st March 2002, the undersigned hereby assign to: Mayo Foundation for Medical Education and Research, a company incorporated in the State of Minnesota, having a principal place of business at 200 First Street S.W., Rochester, Minnesota 55905, its successors and assigns, the entire right, title and interest in the inventions or improvements disclosed in Letters Patents and applications for Letters Patent of the United States, entitled:

<u>Inventors</u>	<u>Patent/Application No.</u>	<u>Filed/Issued</u>
Russell, et al.	6,270,761	August 7, 2001
Title: Improvements in or Relating to Delivery of Nucleic Acids		
Russell, et al.	09/043,665	October 5, 1998
Title: Materials and Methods Relating to the Transfer of Nucleic Acid into Quiescent Cells		
Russell	09/051,393	April 10, 1998
Title: Improvements in or Relating to Protection Against Intracellular Infection		
Russell, et al.	09/070,630	April 30, 1998
Title: Compositions and Methods for Elimination of Unwanted Cells		
Russell, et al.	09/393,960	April 30, 1998
Title: Compositions and Methods for Elimination of Unwanted Cells		
Russell, et al.	60/045,164	April 30, 1997
Title: Compositions and Methods for Elimination of Unwanted Cells		
Russell, et al.	09/196,505	November 20, 1998

Title: Improvements in or Relating to Regulation of T Cell Activation

Russell, et al.

60/076,448

March 2, 1998

Title: Improvements in or Relating to Expression of Immunogenic Substances

Russell, et al.

60/083,657

April 30, 1998

Title: Improvements in or Relating to Expression of Immunogenic Substances

Russell, et al.

09/197,056

November 20, 1998

Title: Improvements in or Relating to Expression of Immunogenic Substances

and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said inventions or improvements, and in any and all Letters Patents of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patents to said assignee.

The undersigned warrant themselves to be the owners of the entire right, title and interest in said inventions or improvements and to have the right to make this assignment, and further warrant that there are no outstanding prior assignments, licenses, or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuing and substitute applications for said inventions or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said applications and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem necessary or expedient, and for the said considerations the undersigned authorize said assignee to apply for patents for said inventions or improvements in its own name in such countries where such procedure is proper and further agree, upon the

request of said assignees, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain, maintain and enforce any of said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignees, its successors and assigns, whereby said Letters Patents will be held and enjoyed by the said assignees, its successors and assigns, to the full end of the term for which said Letters Patents will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.



Officer: FINANCE DIRECTOR

BioFocus Discovery Limited

Address: UNIT 10, CAMBRIDGE SCIENCE PARK, MILTON ROAD,

City, Country: CAMBRIDGE, UNITED KINGDOM

1st March 2002

Date 1/3/2002.



Witness name: MARK CHADWICK

Address: 5, HOLLESLEY AVENUE,

City, Country: HAVERHILL, SUFFOLK,
UNITED KINGDOM

1st March 2002

Date 1/3/2002